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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/596,835	06/27/2006	Coen Adrianus Verschuren	NL040014	1180

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EXAMINER	
GOMA, TAWFIK A	

ART UNIT	PAPER NUMBER
2627	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/596,835	VERSCHUREN, COEN ADRIANUS	
	Examiner	Art Unit	
	TAWFIK GOMA	2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5,7-9 and 12-17* is/are rejected.

7)☒ Claim(s) *4,6,10 and 11* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 June 2006* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Priority

This application is a 371 of PCT /IB05/50085, filed on January 7th, 2005.

Receipt is acknowledged of papers submitted under 35 U.S.C. 119 (a)-(d) or (f). The certified copy of the priority documents have been received in this National Stage Application from the International Bureau (PC Rule 17.2 (a)). The foreign document is EPO 04100081.1, filed on January 12th, 2002.

Drawings

The drawings are objected to because every circuit block in figure 1 must be properly labeled. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claim 11 is objected to because of the following informalities: The claim refers to a "freezed error signal" in line 2. This limitation is not grammatically correct, and should be corrected to refer to a frozen error signal. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 7-9, and 13-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Verschuren (US 2003/0063504).

Regarding claim 1, Verschuren discloses a method of controlling at least one readout parameter during a reading operation from a magneto-optical recording medium (par. 1) comprising a storage layer and a readout layer (par. 3), wherein an expanded domain leading to a pulse in a reading signal is generated in said readout layer by copying of a mark region from said storage layer to said readout layer upon heating by a radiation beam having a radiation power (par. 3), said method comprising the steps of: a) analyzing a pulse pattern in said reading signal (par. 30); b) comparing the result of said analyzing step with a runlength characteristic of the data stored in said storage layer (par. 37); c) determining a relative occurrence of runlength violations obtained from said comparing step (par. 40); d) generating an error signal having a predetermined continuous functional relationship with said determined relative occurrence (par. 9); and e) controlling said at least one readout parameter on the basis of said error signal (par. 29).

Regarding claim 2, Verschuren further discloses wherein said at least one readout parameter comprises at least either said radiation power or a strength of an external magnetic field applied during said reading operation, or both (par. 29).

Regarding claim 7, Verschuren further discloses wherein said runlength violations are determined by a pulse counting function or by a timer function (par. 40).

Regarding claim 8, Verschuren further discloses wherein said pulse pattern corresponds to the user data recorded on said recording medium (par. 11).

Regarding claim 9, Verschuren further discloses wherein said pulse pattern corresponds to a predetermined data pattern with pre-defined mark and space runlengths recorded on predetermined portions of said recording medium (par. 11).

Regarding claim 13, Verschuren further discloses wherein said comparing step is performed on the basis of a look-up Table linking the value of said error signal to a corresponding value of said relative occurrence of runlength violations (par. 42).

Regarding claim 14, Verschuren discloses a reading apparatus for controlling at least one readout parameter during a reading operation from a magneto-optical recording medium (fig. 1) comprising a storage layer and a readout layer (par. 3), wherein an expanded domain leading to a pulse in a reading signal is generated in said readout layer by copying of a mark region from said storage layer to said readout layer upon heating by radiation power (par. 3), said apparatus comprising: a) analyzing means (21) for analyzing a pulse pattern in said reading signal (21, fig. 1 and par. 30); b) comparing means (22) for comparing the result of the analysis by said analyzing means (21) with a runlength characteristic of the data stored in said storage layer (22, fig. 1 and par. 30), determining a relative occurrence of runlength violations obtained from said

comparing step (par. 40 and 41), and generating an error signal having a predetermined continuous functional relationship with said determined relative occurrence (par. 41 and 9); and c) control means (25) for receiving said error signal and for controlling said at least one readout parameter on the basis of said error signal (25, fig. 1 and par. 39).

Regarding claim 15, Verschuren further discloses wherein said at least one readout parameter comprises at least either said radiation power or the strength of an external magnetic field applied during said reading operation, or both (par. 29).

Regarding claim 16, Verschuren further discloses storing means (23) for storing information defining a relationship between a value of said error signal and a value of said relative occurrence (23, fig. 1 and par. 30).

Regarding claim 17, Verschuren further discloses wherein said reading apparatus is a disk player for reading MAMMOS disks (par. 1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Verschuren (US 2003/0063504) in view of Murphy et al (US 5189571).

Regarding claim 3, Verschuren fails to discloses wherein said predetermined functional relationship comprises a proportional relationship. Verschuren discloses a continuous

functional relationship exists between the error signal and the run length, but is silent with respect to the type of relationship. In the same field of endeavor, Murphy discloses an adaptive error correction system for correcting tracking errors which uses a proportional relationship between the offset of the head with the track and the error signal in order to accurately correct the offset (col. 5 lines 54-59). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the relationship between the error signal and relative occurrence of runlength violations disclosed by Verschuren by providing a proportional relationship as taught by the error signal of Murphy. The rationale is as follows: One of ordinary skill in the art at the time of the applicant's invention would have provided a proportional relationship for the error signal as it would have been the use of a known technique to a known method ready for improvement to yield predictable results.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Verschuren (US 2003/0063504) in view of Hayashi (US 5606540).

Regarding claim 5, Verschuren fails to disclose wherein said determination step comprises a calculation of a running average of detected runlength violations. In the same field of endeavor, Hayashi discloses using a running average of detected runlength violations for error detection (col. 11 lines 64-67 through col. 12 lines 1-5 and col. 14 lines 47-53). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to use a running average of the detected runlength violations in the determination step. The rationale is as follows: One of ordinary skill in the art at the time of the applicant's invention would have used a running average as taught by Hayashi in the determination of violations of

Verschuren as it would have been the use of a known technique to a known method ready for improvement to yield predictable results.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Verschuren (US 2003/0063504) in view of Tanoue et al (US 6215759).

Regarding claim 12, Verschuren fails to disclose wherein the predetermined portion (where the pulse pattern evaluated is formed) is an address header portion. In the same field of endeavor, Tanoue discloses using a header portion to record pulse patterns for the detection of run-length violations (col. 2 lines 33-43). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to use a header portion for the pulse pattern. The rationale is as follows: One of ordinary skill in the art at the time of the applicant's invention would have used a header field as taught by Tanoue to store the pulse pattern evaluated in the method of Verschuren as it would have been the use of a known technique to a known method ready for improvement to yield predictable results.

Allowable Subject Matter

Claims 4, 6 and 10-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 11 would also be required to overcome the minor informalities objection discussed above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAWFIK GOMA whose telephone number is (571)272-4206. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tawfik Goma/

Examiner, Art Unit 2627